

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

JAMES PRATT,)
)
)
Plaintiff,)
)
)
v.) 1:20CV679
KILOLO KIJAKAZI,)
Acting Commissioner of Social Security¹,)
)
)
Defendant.)

ORDER

On October 6, 2021, in accordance with 28 U.S.C. § 636(b), the Recommendation of the United States Magistrate Judge was filed and served on the parties in this action, and a copy was given to the court. (ECF No. 19). No objections were filed within the time prescribed by § 636.

The Court hereby adopts the Magistrate Judge's Recommendation.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Judgment, (ECF No. 15), is DENIED, Defendant's Motion for Judgment on the Pleadings, (ECF No. 17), is GRANTED, and the final decision of the Commissioner is upheld.

This, the 26th day of October 2021.

/s/ Loretta C. Biggs
United States District Judge

¹ President Joseph R. Biden, Jr. appointed Kilolo Kijakazi as the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Kilolo Kijakazi should be substituted for Andrew M. Saul as the Defendant in this suit. Neither the court nor the parties need take any further action to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).